

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

ORVAL L. DuBOIS, *Acting Secretary.*

[F. R. Doc. 2135—Filed, September 8, 1936; 12:50 p. m.]

Thursday, September 10, 1936

No. 128

PRESIDENT OF THE UNITED STATES.

GOLD STAR MOTHER'S DAY

By the President of the United States of America

A PROCLAMATION

WHEREAS the preamble to Public Resolution 123, 74th Congress, approved June 23, 1936, recites:

"WHEREAS the service rendered the United States by the American mother is the greatest source of the country's strength and inspiration; and

"WHEREAS we honor ourselves and the mothers of America when we revere and give emphasis to the home as the fountainhead of the state; and

"WHEREAS the American mother is doing so much for the home and for the moral and spiritual uplift of the people of the United States and hence so much for good government and humanity; and

"WHEREAS the American Gold Star Mothers suffered the supreme sacrifice of motherhood in the loss of their sons and daughters in the World War;"

AND WHEREAS the said Public Resolution 123 provides:

"That the President of the United States is hereby authorized and requested to issue a proclamation calling upon the Government officials to display the United States flag on all Government buildings, and the people of the United States to display the flag and to hold appropriate meetings at their homes, churches, or other suitable places, on the last Sunday in September, as a public expression of the love, sorrow, and reverence of the people of the United States for the American Gold Star Mothers.

"Sec. 2. That the last Sunday in September shall hereafter be designated and known as 'Gold Star Mother's Day', and it shall be the duty of the President to request its observance as provided for in this resolution."

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by the aforesaid public resolution, do by this proclamation designate Sunday, September 27, 1936, as Gold Star Mother's Day and direct Government officials to display the United States flag on all Government buildings, and do call upon the people of the United States to display the flag and to hold appropriate meetings at their homes, churches, or other suitable places on that day as a public expression of the love, honor, and reverence of the people of the United States for the American Gold Star Mothers.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 3rd day of September, in the year of our Lord nineteen hundred and thirty-six, and of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

[No. 21961]

[F. R. Doc. 2145—Filed, September 8, 1936; 3:09 p. m.]

Vol. I—pt. 2—37—8

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Administration.

PROCLAMATION OF SECRETARY OF AGRICULTURE CONCERNING BASE PERIOD TO BE USED IN CONNECTION WITH EXECUTION OF MARKETING AGREEMENT AND ISSUANCE OF ORDER REGULATING HANDLING OF MILK IN THE DISTRICT OF COLUMBIA MARKETING AREA

By virtue of the authority vested in the Secretary of Agriculture by the Agricultural Adjustment Act, approved May 12, 1933, as amended, the Secretary of Agriculture does hereby find and proclaim that in connection with the execution of a marketing agreement and the issuance of an order regulating the handling of milk in the District of Columbia Marketing Area, the purchasing power of such milk during the base period August 1909 to July 1914 cannot be satisfactorily determined from available statistics in the Department of Agriculture, but that the purchasing power of such milk can be satisfactorily determined from available statistics in the Department of Agriculture for the period August 1924 to July 1929; and the period August 1924 to July 1929 is hereby found and proclaimed to be the base period to be used in connection with ascertaining the purchasing power of milk handled in the District of Columbia Marketing Area, for the purpose of the execution of a marketing agreement and the issuance of an order regulating the handling of said milk in that area.

In testimony whereof, the Secretary of Agriculture has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the city of Washington, District of Columbia, this 8th day of September 1936.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 2147—Filed, September 9, 1936; 12 m.]

SR—B-6.

1936 AGRICULTURAL CONSERVATION PROGRAM—SOUTHERN REGION

BULLETIN NO. 6

Instructions Governing Appeals

Pursuant to the authority vested in the Secretary of Agriculture under section 8 of the Soil Conservation and Domestic Allotment Act the following instructions are issued to supplement the provisions contained in Southern Region Bulletin No. 1, Revised, and Southern Region Bulletin No. 2, in connection with the effectuation of the purposes of section 7 (a) of said act for 1936:

Any person who has reason to believe that any recommendation of his county committee in any matter of the kind set forth below is not equitable may request the county committee to reconsider its recommendation. If such person and such committee fail to agree upon the recommendation finally made by the county committee, an appeal may be taken in accordance with the following procedure.

SECTION I. Types of Appeals.—(a) Eligibility of farm; (b) land covered by work sheet and/or application; (c) eligibility of person(s) to submit an application for payment; (d) any soil-depleting base, yield per acre or the productivity index for the farm.

In addition to the above the State Committee and the Regional Agricultural Appeals Board for the Southern Region may be called on to hear and decide other types of appeals.

SECTION II. Appellate Committees.—The following groups will receive, hear, consider, and pass upon appeals cases: (a) State Agricultural Conservation Committee; (b) Agricultural Conservation Appeals Board for the Southern Region (hereinafter referred to as the Regional Appeals Board).

SECTION III. Procedure Governing Appeals.—Any person, whether owner or operator, interested in a farm covered by an application for payment, having just grounds for being dissatisfied with the final action of the county committee in passing upon any of the matters mentioned in section I

hereof, may appeal from the findings of the county committee to the State Committee.

When an application, forming the basis of an appeal, has been presented to the county committee, and approval refused by such committee, involving any of the matters enumerated in section I hereof, or such committee's approval of such application is in conflict with the contention of the complaining person, such person shall (if he wishes to appeal his case), within thirty calendar days from final action on such application by the county committee give notice in writing to such committee of his desire and intention to appeal his case to the State Committee.

In order to perfect his appeal, the appellant shall at the time of giving notice of appeal, or within thirty calendar days from final action of the county committee on the application, file with such committee in *triplicate* a detailed statement of his contentions supported by such material evidence in *triplicate* as he may have available. He shall attach to such statement an exact copy in *triplicate* of the work sheet and application and other document(s) forming the basis of, or material to, such appeal.

When the appellant has filed his appeal record with the county committee such committee shall prepare in *triplicate* a statement of the findings and recommendation of the committee upon the material issues presented in the statement of the person appealing and shall also attach to such statement exact copies in *triplicate* of all available documents material to any issue raised by the appellant, as well as any other material data available to the committee.

The appeal record shall be perfected by the county committee and two copies forwarded to the State Committee within fifteen calendar days from the date the same was filed with the county committee. The other copy shall be retained in the files of the county committee.

Upon receipt of the appeal record the State Committee shall promptly set the appeal down for hearing at the earliest practicable date not earlier than fourteen calendar days from the date of such receipt of the appeal record (unless both the person appealing and the chairman of the county committee have indicated in writing, forwarded with the appeal record, that (a) they are willing to have the appeal heard at an earlier date or alternative dates indicated by them in such writing, in which case the appeal may be heard on such date or any one of such alternative dates, or (b) that they do not desire to appear at the hearing of the appeal, in which case the State Committee may set the appeal down for hearing at any time reasonably convenient to it) and shall, in writing dated and forwarded in the regular course of the mail on the day the date for hearing the appeal is set and to the addressees of record, give notice in writing of the time and place of such hearing to the chairman of the county committee and the person appealing. If the State Committee deems it advisable, it may further develop the case by correspondence or field investigation either before or after the formal hearing, and may hear additional evidence at the State Headquarters or at a designated place in the field.

The decision by the State Committee with its recommendations, prepared in *triplicate*, shall be concurred in by a majority of the members of the committee. One copy of such recommendations shall be promptly transmitted to the county committee, which in turn will notify the appellant of the decision of the State Committee. In case the person appealing is dissatisfied with the decision or recommendation of the State Committee, such person may finally appeal the case to the Regional Appeals Board, Southern Division, in Washington, D. C., by giving written notice, prepared in *triplicate*, to the State Committee within thirty calendar days from the date notice of its decision is addressed and forwarded to such person at the address of record. Such notice must contain or be accompanied by such person's comments or arguments against the decision or recommendation of the State Committee. Upon such written notice being filed in *duplicate* with the State Committee, it shall promptly forward one complete copy of the appeal record to the Regional Appeals Board, together with a copy of its decision and recommendations in such case and such written notice and comments or arguments.

Individual cases of complaints made by any person, whether owner, operator, share-tenant, or share-cropper, relating to landlord-tenant questions in connection with the application for payment, made or appealed to the State Committee, shall be referred by the State Committee for special attention to a person appointed by the committee with the approval of the Director of the Southern Division to make prompt investigation and recommend adjustment of landlord-tenant complaints. Upon receiving the recommendation of such investigator, unless such recommendation has been carried out by the parties concerned in the complaint, the State Committee shall promptly make its decision with respect to each such complaint and notify the parties concerned and the county committee of the decision reached by said committee. If one or more of the parties concerned is not satisfied with the decision, he may in writing request the State Committee to forward to the Director of the Southern Division for appropriate action the complete file in the case, including the findings and report of the Investigator of the State Committee in charge of investigation of the landlord-tenant complaint. Upon receipt of such request the State Committee shall forward the file to said Director, who may refer any such case with the entire record therein to the Regional Appeals Board for final determination.

The Regional Appeals Board for the Southern Region shall be composed of three members appointed by the Secretary of Agriculture upon nomination by the Director of the Southern Division. The chairman of the board for each of its sessions shall be that one of the members present who is first named in the order appointing them.

The Secretary of Agriculture upon nomination by the Director of the Southern Division may appoint alternate member(s) of said board to serve in the order so appointed in place of any member(s) thereof, whenever and while such member(s) is (are) absent from duty in the Southern Division, or in case of any vacancy in the membership of said board until such vacancy is filled and the person appointed thereto has qualified. No alternate shall serve as chairman.

The Regional Appeals Board, acting for and on behalf of the Secretary of Agriculture, shall promptly and finally pass upon and decide each appeal referred to it by any State Committee within the Southern Region or by the Director of the Southern Division. Final decision of the Regional Appeals Board shall be concurred in by a majority of the members of such committee. Such decision shall be promptly transmitted to the State Committee in *duplicate* and the appealing producer and the county committee shall be notified by the State Committee in writing of such decision.

All final decisions on appeal cases of the State Committee and the Regional Appeals Board shall be in accordance with instructions approved by the Secretary of Agriculture. In considering any appeal case, if it appears there are no instructions approved by the Secretary applicable to such case, no decision thereon shall be rendered by any committee until applicable instructions are approved by the Secretary of Agriculture.

In testimony hereof H. A. Wallace, Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 8th day of September 1936.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 2148—Filed, September 9, 1936; 12 m.]

Bureau of Entomology and Plant Quarantine.

NOTICE OF CHANGE IN PLACE AND DATE OF PUBLIC HEARING TO CONSIDER THE ADVISABILITY OF QUARANTINING CERTAIN STATES ON ACCOUNT OF THE PEACH MOSAIC DISEASE

SEPTEMBER 9, 1936.

The purpose of this announcement is to change the place and date of public hearing to be held to consider the advisability of quarantining the States of California, Colorado,

New Mexico, Texas, and Utah, on account of the peach mosaic disease, and of restricting or prohibiting the movement of peach and nectarine trees and parts thereof from those States or from any districts therein designated as infected; also to extend the scope of the hearing to include the State of Arizona where the disease has recently been found.

The original notice, dated August 19, 1936, stated that the hearing would be held before the Bureau of Entomology and Plant Quarantine in Room 2050, Bureau of Agricultural Economics Conference Room, Extensible Building, Independence Avenue and Fourteenth St. SW., Washington, D. C., at 2 p. m., September 14, 1936. Since the release of the notice it has been found desirable to change the place and date of the hearing from Washington, D. C., to a more convenient location and time for those in the affected States who may desire to attend.

The Secretary of Agriculture has information that peach mosaic, a dangerous plant disease not heretofore widely prevalent or distributed within and throughout the United States, exists in portions of the States of Arizona, California, Colorado, New Mexico, Texas, and Utah.

It appears necessary, therefore, to consider the advisability of quarantining the States of Arizona, California, Colorado, New Mexico, Texas, and Utah, and of restricting or prohibiting the movement of peach and nectarine trees and parts thereof from these States or from any districts therein designated as infected.

Notice is, therefore, hereby given that in accordance with the plant quarantine act of August 20, 1912 (37 Stat. 315), as amended by the Act of Congress approved March 4, 1917 (39 Stat. 1134, 1165), a public hearing will be held before the Bureau of Entomology and Plant Quarantine in the Chamber of Commerce Auditorium, 319 N. 4th Street, Albuquerque, New Mexico, at 10 a. m., September 21, 1936, in order that any persons interested in the proposed quarantine may appear and be heard, either in person or by attorney.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 2149—Filed, September 9, 1936; 12:01 p. m.]

FEDERAL HOME LOAN BANK BOARD.

Home Owners' Loan Corporation.

CONSENTS FOR REMOVAL OF IMPROVEMENTS MADE ON PROPERTIES MORTGAGED TO THE CORPORATION THROUGH ADVANCES MADE BY OTHER GOVERNMENTAL ESTABLISHMENTS

Whereas Resettlement Administration and other departments, establishments, agencies, instrumentalities, or corporations of the Government, from time to time, are engaged in making loans to, or granting assistance to, the owners, lessees, or occupants of property securing loans made by Home Owners' Loan Corporation, and

Whereas in some such cases it is proper for the improvement or equipment furnished to stand as security for the advance which was made to provide the same, and

Whereas it is frequently in the best interest of Home Owners' Loan Corporation and its home owner borrowers to consummate such transaction, but the consent of the Corporation is necessary: Therefore,

Be it resolved, That pursuant to the authority vested in the Board by Home Owners' Loan Act of 1933 (48 Stat. 128, 129), as amended by Sections 1 and 13 of the Act of April 27, 1934 (48 Stat. 643-647), and particularly by Sections 4-a and 4-k of said Act as amended, Section I of the Loan Servicing Chapter of each Manual shall be amended by the addition thereto of a new subsection to be appropriately numbered, which shall read as follows:

In the event Resettlement Administration, or any other department, establishment, agency, instrumentality, or corporation of the United States contemplates making an advance to any owner, lessee, or occupant of any property securing a loan due Home Owners' Loan Corporation for the purpose of improving such property or providing any fixtures, equipment, or facilities to be attached to, or used on such property, and finds it necessary to have a lien

upon such improvement, fixtures, equipment, or facilities, the Regional Manager of Home Owners' Loan Corporation, upon a written statement from the owner of such property and also from any lessee or occupant to whom the loan is being made, and the lender, and upon any other information available, may, in his discretion consent to such improvement, or the placing of such fixtures, equipment, or facilities, and to the removal of the same, for the purpose of being subjected to any lien for any purchase money or to any lien held by any such governmental authority, and each Regional Manager of Home Owners' Loan Corporation, with the approval of the Regional Council, is authorized to execute in the name of the Corporation any instruments necessary to accomplish the purposes of this resolution; provided that such consents shall relate only to the making or installing and removal of the improvements, fixtures, equipment, or facilities, and shall not afford any lien in favor of such governmental authority on the property theretofore held by the Corporation under its mortgage which will be superior to the lien of said mortgage; and such consents shall also be on condition that such governmental authority shall furnish satisfactory evidence of the satisfaction in full of any mechanics' or furnishers' liens which may arise by virtue thereof without loss or expense to the Corporation. The General Manager and the General Counsel are hereby authorized to promulgate procedure to make effective the provisions of this resolution.

R. L. NAGLE, *Secretary.*

[F. R. Doc. 2144—Filed, September 8, 1936; 2:22 p. m.]

INSURANCE SECTION REGULATIONS

Whereas the General Manager and General Counsel were authorized and directed to consolidate and coordinate the State and Regional Manuals by Board Resolution adopted May 25, 1936; Therefore,

Be it resolved, That pursuant to the authority vested in the Board by Home Owners' Loan Act of 1933 (48 Stat. 128, 129) as amended by Sections 1 and 13 of the Act of April 27, 1934 (48 Stat. 643-647) and particularly by Sections 4-a and 4-k of said Act as amended, the Insurance Chapter of the Consolidated Manual be numbered 9 and provide as follows:

Sec. 900. The Insurance Section of the Comptroller's Division shall be charged with the duty and responsibility of supervising and directing all insurance activities of the Corporation, regarding property of the Corporation and properties upon which the Corporation holds liens, and shall maintain adequate records therefor.

The Manager of the Insurance Section shall be in immediate charge of all activities of the Section with authority to carry out the rules and regulations prescribed by the Board under instructions and procedure recommended by him and prescribed by the Comptroller with the approval of the General Manager and the General Counsel.

Sec. 901. The Insurance Section shall have supervision of all insurance necessary to adequately protect the Corporation on all properties, owned by the Corporation or taken by it as security for its loans and it shall require home owners to select insurance companies and associations licensed to do business in their particular States or Territories whose policy forms are acceptable to the Corporation.

Sec. 902. The Manager of the Insurance Section, or parties designated by him, shall certify to the Comptroller any proper charge, expense, or disbursement covering any item of insurance, and the Comptroller is directed, after proper audit or preaudit, to cause same to be paid and discharged and to charge same to the proper accounts, as the case may be, except as herein otherwise provided.

Sec. 903. The Insurance Section shall be charged with the responsibility of adjusting and settling all losses sustained on any property owned by the Corporation or securing a mortgage held by the Corporation, except that in the event an amicable settlement cannot be reached and litigation appears to be immediately imminent or court proceedings appear to be immediately necessary, the matter shall be referred to the Litigation Division of the Legal Department for further handling; and

Be it further resolved, That the Manager of the Insurance Section may recommend and the Comptroller is hereby authorized, with the approval of the General Manager and the General Counsel, to prescribe all procedure necessary to carry out the foregoing regulations; and

Be it further resolved, That all previously issued regulations which are in conflict herewith, or with regulations issued under authority granted herein are hereby superseded and repealed.

[SEAL]

R. L. NAGLE, *Secretary.*

[F. R. Doc. 2146—Filed, September 9, 1936; 10:55 a. m.]

INTERSTATE COMMERCE COMMISSION.

REGULATIONS TO GOVERN THE PRESERVATION OF RECORDS OF MOTOR CARRIERS AND BROKERS

[Effective September 15, 1936]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 3rd day of August A. D. 1936.

The matter of the determination of the period of time which accounts, records, memoranda, documents, papers, and correspondence shall be preserved being under consideration:

It is ordered, That the following regulations to govern the preservation of accounts, records, memoranda, documents, papers, and correspondence of motor carriers and brokers be, and they are hereby, approved; that a copy thereof, duly authenticated by the Secretary of the Commission, be filed in its archives and a second copy thereof in like manner authenticated be filed in the office of the Bureau of Motor Carriers; and that each of the said copies so authenticated and filed shall be deemed an original record thereof.

It is further ordered, That the said regulations be, and they are hereby, prescribed for the use of motor carriers and brokers subject to the provisions of the Motor Carrier Act, 1935, in the preservation of the accounts, records, memoranda, documents, papers, and correspondence; and that a copy of the said regulations be sent to each and every such motor carrier and broker and to each and every receiver, trustee, executor, administrator, or assignee of such motor carrier or broker.

It is further ordered, That each and every such motor carrier and broker be, and is hereby, permitted to destroy the accounts, records, memoranda, documents, papers, and correspondence named in the said regulations after preserving the same for the periods of time respectively specified and upon complying with the requirements of the Regulations.

It is further ordered, That the said regulations to govern the preservation of records of motor carriers and brokers, shall become effective on September 15, 1936.

By the Commission.

[SEAL]

GEORGE B. MCGINTY, *Secretary.*

REGULATIONS TO GOVERN THE PRESERVATION OF RECORDS OF MOTOR CARRIERS AND BROKERS

To Motor Carriers and Brokers:

This order and these regulations supersede the Commission's order of December 2, 1935, which prohibited the destruction of any accounts, records, memoranda, documents, papers, or correspondence described in Section 220 of the Motor Carrier Act, 1935, of any motor carrier or broker subject to the provisions of said Act.

The term "Carrier" wherever used in the regulations refers to motor carriers and brokers subject to the provisions of the Motor Carrier Act, 1935.

The term "Records" wherever used in these regulations refers to accounts, records, memoranda, documents, papers, or correspondence described in Section 220 of the Motor Carrier Act, 1935.

1. *Destruction Authorized.*—Carriers may destroy the records named in paragraph 6 (other than those marked "permanently") at their option after having preserved them for

the specified periods of time and upon complying with the requirements of these regulations.

2. *Certificate of Destruction.*—The person or persons upon whom devolves the immediate duty of destroying the records of the carrier shall make certificate setting forth that the records have been destroyed. Such certificate shall be permanently preserved by the carrier for the inspection of special agents or examiners of the Commission. (See specimen form of certificate in appendix.)

3. *Joint Agencies.*—These regulations apply also to the destruction of records of traffic associations, tariff associations or bureaus, and other joint agencies maintained by or on behalf of motor carriers and brokers. If the records of such a joint agency pertain to two or more carriers, the persons or persons upon whom devolves the immediate duty of destroying the records, shall make certificate setting forth a list of of the records so destroyed for each of the carriers concerned.

4. *Method of Destruction.*—The precise method of the destruction of records is not prescribed. The Commission is not concerned with the method of destruction, whether by fire or other disposition, so long as the destruction is authorized and the certificate of destruction is filed as required by these regulations.

If the records are not actually destroyed by the carrier but are disposed of by sale or otherwise, the certificate of destruction should show the disposition made of them rather than their actual physical destruction. Attention is directed to Section 222 (e) and (f) of the Motor Carrier Act, 1935, which provides that a carrier shall not divulge to any person information concerning the business of a shipper or consignee which might be used to their harm. The responsibility for possible infringement of these provisions of the Act would rest with the carrier disposing of its records otherwise than by actual destruction.

5. *Accidental Destruction of Records.*—If any records are destroyed accidentally by fire, flood, or other calamity, a statement should be prepared listing as far as may be possible, the records destroyed and detailing the circumstances in connection with the fire or other calamity. This statement should be authenticated by an official or a responsible employee of the company, and should be filed in the same manner as provided in paragraph 2.

6. *Accounts, Records, Memoranda, Documents, Papers, or Correspondence and Periods of Retention.*

General and Financial

Description of Records:	Period of Retention
1. General and auxiliary or subsidiary books of account, including cash books, day books, journals, and ledgers.	Permanently.
NOTE.—The books referred to herein include not only books of account in a limited technical sense but all other records, such as minute books, stock books, bond records, reports, correspondence, memoranda, etc., which will be useful in developing the history of or facts regarding any transaction, except such records the destruction of which is specifically authorized herein after.	
2. Record of securities owned: Record of stocks, bonds, or other securities owned, in treasury, or with custodian.	Permanently.
3. Deeds and other title papers; franchises; applications to and certificates or permits from regulatory bodies authorizing operations or extensions of operations and all papers, memoranda, and correspondence in connection therewith.	Permanently.
4. Contracts, leases, and agreements:	
(a) Card or book records of contracts, leases, and agreements made, and of expirations and of renewals.	Permanently.
(b) Contracts, leases, and agreements.	Permanently.
5. Tax records: Copies of schedules and returns to taxing authorities for tax purposes, records of appeals, tax bills, and statements.	Permanently.

General and Financial—Continued

Description of Records—continued.	Period of Retention
6. Copies of applications to and authorities from regulatory bodies for the issuance of stocks, bonds, and other securities.	Permanently.
7. Fidelity bonds: Records and files of fidelity bonds of employees.	3 years.
8. Insurance records:	
(a) Schedules of public liability, property damage, cargo, workmen's compensation, fire and other insurance; also records of payment of premiums and of amounts recovered.	6 years.
(b) Insurance policies.	Optional.
9. Treasurer's records:	
(a) All records pertaining to funds received, disbursed, transferred, and on hand.	3 years.
(b) Records of outstanding vouchers, checks, drafts, etc., issued and not presented.	6 years.
(c) Bank deposit books; and stubs or records of checks issued.	6 years.
10. Miscellaneous records pertaining to agents' accounts:	
(a) General office records or ledgers of agents' accounts showing debits and credits from various sources.	6 years.
(b) Records and files of indemnity bonds incident to transportation and other charges.	6 years.
(c) General office records relating to extension of credit for transportation and other charges.	6 years after discontinuance.
11. Traveling accountants' and auditors' reports: Reports of examinations, audits, and transfers by special accountants, traveling auditors, inspectors, etc., and supporting papers.	3 years.
12. Records pertaining to verifications of treasurers' cash and securities.	3 years.

Revenue

20. Records of freight and passenger revenue: All records summarizing the debits and credits to transportation revenue arising from settlements with agents and drivers and from settlements with other carriers; also records and reports of associations and bureaus.	6 years.
21. Records of revenue from other operations: Details and summaries of revenue from station and bus privileges, parcel rooms, storage, telegraph, and telephone service, rents power, and of miscellaneous revenue.	6 years.

Expenditures

30. Register of vouchers payable and indexes thereto.	Permanently.
31. Vouchers: (a) All vouchers or accounts payable and supporting papers, paid drafts, and canceled checks, except as provided in item 32 (b).	Permanently.
32. Pay rolls:	
(a) Pay rolls, including evidence and description of service performed.	Permanently.
(b) Receipted pay checks, certificates issued for wages, time tickets, and other evidences of payment for services rendered by employees.	6 years.
(c) Records showing the detailed distribution to all accounts of the pay of all employees, including all memoranda, time records, and time slips.	6 years.
33. Materials and supplies:	
(a) Records of materials and supplies on hand and detail papers of inventories taken.	Permanently.
(b) Bids, offers, copies of orders, and correspondence pertaining to the purchase of materials and supplies.	3 years.
(c) Record showing the detailed distribution of expenditures for materials and supplies charged to all accounts, including memoranda and memorandum recapitulation sheets.	6 years.

Expenditures—Continued

Description of Records—continued.	Period of Retention
33. Materials and supplies—Continued.	
(d) Work orders, job tickets, and other papers covering the application of materials and supplies, the details of which have been transcribed into other records for retention.	6 years.
(e) Requisitions and receipts for materials and supplies issued, if full details are included in other records for retention.	1 year.
<i>Traffic and Operating</i>	
41. Drivers' reports: Original copies of reports from agents showing: ticket sales; baggage handled; freight received, forwarded, and on hand; and miscellaneous collections, together with agents' balance sheets and supporting papers.	6 years.
41. Drivers' reports: Original copies of reports from drivers showing: cash collections; tickets and passes collected or honored; number of passengers carried; baggage, express, and mail handled; amount of freight carried; and the movements of buses, trucks, tractors, trailers, and other equipment.	6 years.
42. Agency records:	
(a) Consignor's shipping orders, shipping tickets, and bills of lading.	3 years.
(b) All records at stations, terminal offices, and other agencies not otherwise provided for herein.	6 years.
43. Tariffs and other rate authorities:	
(a) Tariffs, classifications, division sheets, and circulars in which the carrier is interested relative to the transportation of persons or property, including special or reduced rate orders, in the general files of the traffic or other department in which the complete official file is maintained.	6 years after expiration or cancellation.
(b) Copies of concurrences filed with the Interstate Commerce Commission.	6 years after cancellation.
44. Tickets:	
(a) Copies of orders on printing houses for ticket stock.	3 years.
(b) Record of ticket stock received, issued and destroyed.	6 years.
(c) Requisitions and receipts for tickets furnished agents and drivers.	3 years.
(d) Used or canceled passenger-fare tickets; parlor coach, sleeping coach, or nitocoach tickets; dog permits; scrip; mileage coupons; and storage checks, the reports of which, showing their sale or issue, have been audited.	Optional.
(e) Inventories of tickets in hands of agents.	3 years.
45. Passes and free tickets: (a) All records pertaining to the issuance and use of passes and tickets issued in lieu thereof under regulations of the Commission and section 217 of the Motor Carrier Act, 1935.	6 years.
46. Baggage records: All records pertaining to the handling of baggage.	3 years.
47. Freight waybills, invoices, manifests, or other records pertaining to the revenue accruing on individual shipments:	3 years.
(a) Accounting office copies covering local or interline shipments received from or forwarded to other carriers.	
48. Operating department records:	
(a) Dispatchers' sheets, registers, and other records pertaining to the movement of buses, trucks, tractors, and trailers, including equipment delay reports.	6 years.
(b) Books and circulars of instructions to agents, drivers, and others in the general file of the carrier.	6 years after expiration.
49. Records and reports of licence numbers assigned to equipment and changes therein, including Federal identification tags.	Permanently.

Miscellaneous

60. Reports to Interstate Commerce Commission and other Regulatory Bodies: File copies and supporting papers and schedules of annual and other periodic reports.	Permanently.
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Miscellaneous—Continued

Description of Records—continued.

Period of Retention
6 years.

61. Record of auxiliary and other operations: Records summarizing the results of operations other than motor carriers or broker operations.

NOTE.—Ledgers, journals, abstracts, reports, vouchers, tickets, etc., must be retained for the same periods as are provided for similar documents elsewhere in these regulations.

62. Duplicate records: Duplicate copies of accounts, records, and memoranda listed in these regulations, if all information on such duplicates is contained on the originals or other copies retained, and if such duplicates are not specifically provided for in these regulations.

May be destroyed at option of carrier.

63. Correspondence and records thereof relating to subjects listed in items 1 to 62, inclusive.

For the period prescribed for each item.

64. All accounts, records, memoranda, documents, papers, and correspondence not included in items 1 to 63, inclusive.

Permanently.

APPENDIX

The following form of certificate of destruction of records is suggested for the use of motor carriers and brokers, but any other form may be used provided it shows the information required by these regulations:

I hereby certify that I have this day destroyed¹ the accounts, records, and memoranda listed below. I further certify that no accounts, records, or memoranda other than those named have been destroyed therewith.

Form no.	Description	Period		Item no. in I. C. C. Regulations
		From	To	

(Name)²

(Title)

19--
(Date of destruction)
Approved:

(Name)³

(Title)

[F. R. Doc. 2153—Filed, September 9, 1936; 12:16 p. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 28th day of August A. D. 1936.

[Docket No. BMC 28386]

APPLICATION OF JOHN W. SMYTHE FOR AUTHORITY TO OPERATE AS A CONTRACT CARRIER

In the Matter of the Application of John W. Smythe, of 932 North State Avenue, Girard, Ohio, for a Permit (Form BMC 1), Authorizing Operation as a Contract Carrier by Motor Vehicle in the Transportation of Commodities Generally, in Interstate Commerce, Between Points Located in the States of West Virginia, New York, Pennsylvania, Ohio, Michigan, and Kentucky, Over Irregular Routes

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner T. B. Johnston for hearing and

¹ If the records described above were not actually physically destroyed, the method of disposition should be stated hereon. (See paragraph 4.)

² Person actually disposing of records.

³ Carrier official having supervision of preservation of records.

for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be set down for hearing before Examiner T. B. Johnston, on the 5th day of October A. D. 1936, at 10 o'clock a. m. (standard time), at the Federal Building, Youngstown, Ohio;

It is further ordered, That notice of this proceeding be duly given.

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 2150—Filed, September 9, 1936; 12:14 p. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 28th day of August A. D. 1936.

[Docket No. BMC 59560]

APPLICATION OF THE GLENN CARTAGE COMPANY FOR AUTHORITY TO OPERATE AS A CONTRACT CARRIER

In the Matter of the Application of the Glenn Cartage Company, a Corporation, of 932 North State Avenue, Girard, Ohio, for a Permit (Form BMC 1), Authorizing Operation as a Contract Carrier by Motor Vehicle in the Transportation of Commodities Generally, in Interstate Commerce, From the Steel District of Mahoning Valley, in the Vicinity of Youngstown, Ohio, to Points in the States of West Virginia, New York, Pennsylvania, Ohio, Michigan, and Kentucky, Over Irregular Routes

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner T. B. Johnston for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be set down for hearing before Examiner T. B. Johnston, on the 5th day of October A. D. 1936, at 10 o'clock a. m. (standard time), at the Federal Building, Youngstown, Ohio;

It is further ordered, That notice of this proceeding be duly given.

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 2151—Filed, September 9, 1936; 12:15 p. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 28th day of August A. D. 1936.

[Docket No. BMC 59560]

APPLICATION OF THE GLENN CARTAGE COMPANY FOR AUTHORITY
TO OPERATE AS A CONTRACT CARRIER

In the Matter of the Application of the Glenn Cartage Company, a Corporation, of 932 North State Avenue, Girard, Ohio, for a Permit (Form BMC 10), to Extend Its Present Operation Filed on Form BMC 1, Authorizing Operation as a Contract Carrier by Motor Vehicle in the Transportation of Commodities Generally, in Interstate Commerce, from the Steel District of Mahoning Valley in the Vicinity of Youngstown, Ohio, to Points Located in the States of Ohio, West Virginia, Pennsylvania, Michigan, Kentucky, and New York, Over Irregular Routes

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner T. B. Johnston for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be set down for hearing before Examiner T. B. Johnston, on the 5th day of October A. D. 1936, at 10 o'clock a. m. (standard time), at the Federal Building, Youngstown, Ohio;

It is further ordered, That notice of this proceeding be duly given;

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL] GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 2152—Filed, September 9, 1936; 12:15 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 9th day of September A. D. 1936.

[File No. 32-39]

IN THE MATTER OF THE TWIN STATE GAS & ELECTRIC COMPANY

NOTICE OF HEARING AND ORDER DESIGNATING TRIAL EXAMINER

An Application having been duly filed with this Commission, by The Twin State Gas & Electric Company, a subsidiary company of a registered holding company, pursuant to Section 6 (b) of the Public Utility Holding Company Act of 1935, for an order authorizing applicant to issue, without any public offering thereof, not exceeding \$2,205,000 principal amount of its promissory notes, which are to mature not more than nine months from the date or dates thereof, and of which not exceeding \$2,005,000 principal amount thereof are to bear interest at a rate of not more than 3½% per annum, and not exceeding \$200,000 principal amount thereof, at a rate of not more than 5% per annum, but which will aggregate more than five per centum of the principal amount and par value of the other securities of the applicant now outstanding.

It is ordered, that such matter be set down for hearing on September 26, 1936, at ten o'clock in the forenoon of that day, at Room 1101, Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C.; and

Notice of such hearing is hereby given to said party and to any interested State, State commission, State securities commission, municipality, and any other political sub-

division of a State, and to any representative of interested consumers or security holders, and any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before September 21, 1936.

It is further ordered, that Robert P. Reeder, an officer of the Commission, be and he hereby is designated to preside at such hearing, and authorized to adjourn said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

Upon the completion of the taking of testimony in this matter, the officer conducting said hearing is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

ORVAL L. DuBois, *Acting Secretary*.

[F. R. Doc. 2167—Filed, September 9, 1936; 1:00 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 9th day of September A. D. 1936.

[File No. 32-40]

IN THE MATTER OF PUBLIC SERVICE COMPANY OF NEW
HAMPSHIRE

NOTICE OF HEARING AND ORDER DESIGNATING TRIAL EXAMINER

An Application having been duly filed with this Commission, by Public Service Company of New Hampshire, a subsidiary company of a registered holding company, pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935, for an order authorizing applicant to issue, without any public offering thereof, not exceeding \$3,000,000 principal amount of its promissory notes, to mature not later than nine months from the date or dates thereof and to bear interest at a rate not exceeding three percent per annum, but to aggregate more than five per centum of the principal amount and par value of the other securities of the applicant now outstanding.

It is ordered, that such matter be set down for hearing on September 26, 1936, at 10:30 o'clock in the forenoon of that day, at Room 1101, Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C.; and

Notice of such hearing is hereby given to said party and to any interested State, State commission, State securities commission, municipality, and any other political subdivision of a State, and to any representative of interested consumers or security holders, and any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before September 21, 1936.

It is further ordered, that Robert P. Reeder, an officer of the Commission, be and he hereby is designated to preside at such hearing, and authorized to adjourn said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

Upon the completion of the taking of testimony in this matter, the officer conducting said hearing is directed to close the hearing and make his report to the Commission.

[SEAL]

ORVAL L. DuBois, *Acting Secretary*.

[F. R. Doc. 2158—Filed, September 9, 1936; 1:00 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 8th day of September A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE HUMBLE-ZAPPE FARM, FILED ON AUGUST 5, 1936, BY JOHNSTON COMPANY, INC., RESPONDENT

CONSENT TO WITHDRAWAL OF FILING OF OFFERING SHEET AND ORDER TERMINATING PROCEEDING

The Securities and Exchange Commission, having been informed by the respondent that no sales of any of the interests covered by the offering sheet described in the title hereof have been made, and finding, upon the basis of such information, that the withdrawal of the filing of the said offering sheet, requested by such respondent, will be consistent with the public interest and the protection of investors, consents to the withdrawal of such filing but not to the removal of the said offering sheet, or any papers with reference thereto, from the files of the Commission; and

It is ordered that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same are hereby revoked and the said proceeding terminated.

By the Commission.

[SEAL] ORVAL L. DuBois, Acting Secretary.

[F. R. Doc. 2156—Filed, September 9, 1936; 12:50 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 8th day of September A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A WORKING INTEREST IN THE W. C. TYRRELL TRUST #1 FARM, FILED ON AUGUST 21, 1936, BY C. A. EVERTS, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341. (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on September 4, 1936, be effective as of September 4, 1936; and

It is further ordered that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL] ORVAL L. DuBois, Acting Secretary.

[F. R. Doc. 2155—Filed, September 9, 1936; 12:50 p. m.]

Friday, September 11, 1936

No. 129

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Administration.

NOR—B-2, Revised, as of September 9, 1936.

1936 AGRICULTURAL CONSERVATION PROGRAM—NORTH CENTRAL REGION

BULLETIN NO. 2, REVISED, AS OF SEPTEMBER 9, 1936

Pursuant to the authority vested in the Secretary of Agriculture under Section 8 of the Soil Conservation and Domestic

Allotment Act, payments will be made in connection with the effectuation of the purposes of Section 7 (a) of said Act for 1936 in accordance with the provisions of Section 1 of Part II of N. C. R.—B-1, Revised, as amended, as hereinafter set forth. This Bulletin No. 2, Revised as of September 9, 1936, supersedes N. C. R.—B-2, Revised, issued May 2, 1936, and N. C. R.—B-2A, issued May 29, 1936.

To be eligible for soil building payments, the soil building practices listed herein must be carried out by such methods and with such kinds and quantities of seeds, trees, and other materials as conform to good farming practice. Soil building payments for any practice hereinafter set forth will not be made with respect to any acreage on the farm for which all or any portion of the labor, seed, or materials used for such practice are furnished free or paid for by any State or Federal agency.

Soil building payments in any case will not exceed the soil building allowance. Where several soil building practices are adopted on the same acreage, payment will not be made for (1) more than one of the practices listed in the same section in the case of Sections (c) to (m), inclusive, and (2) more than one practice twice, or any two practices, of the ten soil building practices listed in Sections (a) and (b).

Unless otherwise specified, the practices and proofs of performance set forth herein are applicable to the entire North Central Region.

Practice and Conditions—Payment per Acre—Proof of Performance

(a) *New Seedings of Legumes.*—Growing of any of the following legumes on crop land in 1936 when seeded between October 1, 1935, and September 30, 1936, inclusive.

- (1) Alfalfa, sericea: \$2.00.
- (2) Red clover, mammoth clover: \$1.50.
- (3) Alsike clover, sweet clover, white clover, Korean lespedeza, vetch, crimson clover, annual sweet clover (Hubam): \$1.00.
- (4) Legume mixtures or mixtures of legumes and the perennial grasses listed under section (b) hereof, which contain 50 percent or more of alfalfa, sericea, red clover, or any two or more of these legumes: \$1.50.
- (5) Legume mixtures or mixtures of legumes and the perennial grasses listed under section (b) hereof, which contain 50 percent or more of alsike clover, sweet clover, white clover, Korean lespedeza, vetch, crimson clover, and any two or more of these legumes: \$1.00.

A good stand of legumes on the date as of which final inspection of the farm is made for the purpose of determining performance; or satisfactory evidence that there was a good stand of legumes some time during 1936; or if a good stand of legumes is not obtained due to uncontrollable natural causes, satisfactory evidence that such land was properly seeded to legumes in accordance with good farming practice.

(b) *New Seedings of Perennial Grasses.*—Growing of any of the following grasses on crop land or on noncrop pasture land in 1936 when seeded between October 1, 1935, and September 30, 1936, inclusive.

- (1) Crested wheat grass: \$3.00.
- (2) Bluegrass (Kentucky and Canadian): \$2.00.
- (3) Bromegrass, orchard grass, slender wheat grass, and western wheat grass, or mixtures of two or more of these grasses. Reed canary grass when seeded on low wet lands not adapted to other types of grasses. Permanent pasture mixtures of grasses or grasses and legumes containing at least 40 percent of bluegrass or crested wheat grass: \$1.50.
- (4) Permanent pasture mixtures of grasses or grasses and legumes containing at least 40 percent of bromegrass or orchard grass or slender wheat grass or western wheat grass, or mixtures of two or more of these grasses, or reed canary grass when seeded on low wet lands not adapted to other types of grasses: \$1.25.
- (5) Redtop or permanent pasture mixtures of grasses or grasses and legumes containing at least 40 percent of redtop: \$0.75.

A good stand of grass on the date as of which final inspection of the farm is made for the purpose of determining performance; or satisfactory evidence that there was a good stand of grass some time during 1936; or if a good stand of grass is not obtained due to uncontrollable natural causes, satisfactory evidence that such land was properly seeded to grass in accordance with good farming practice.

(c) *Legumes for Green Manure.*—Incorporation into the soil as green manure by plowing or discing between January 1, 1936, and September 30, 1936, inclusive, of a good vegetative growth of any of the following crops grown on crop land, provided such

¹ If non-leguminous hay and pasture grasses, such as timothy, are seeded with a legume or legume mixture they must be in addition to the normal quantities of these legume seeds used when such legumes are seeded without the addition of non-leguminous hay and pasture grass seeds.